



**State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2900 FAX (603) 271-2456



April 15, 2002

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

**LETTER OF DEFICIENCY
No. WMD 02-13**

Mr. Paul Linehan, Vice-President
Nashua Circuits, Inc.
29 Crown Street
Nashua, NH 03060

**RE: Nashua Circuits Inc., Nashua, New Hampshire
EPA ID No. NHD 101403509**

Dear Mr. Linehan:

On January 14, 2002, the Department of Environmental Services (DES) conducted an inspection of Nashua Circuits, Inc. (Nashua Circuits). The purpose of the inspection was to determine Nashua Circuit's compliance status with RSA 147-A and its implementing regulations, the New Hampshire Hazardous Waste Rules (codified as Env-Wm 100-1100).

As a result of the inspection and review of the information provided to DES, the following deficiencies were documented:

- 1) Limited Permit # DES-HW-LP-97-018 – inspections of wastewater treatment unit

At the time of the inspection, Nashua Circuits was operating a wastewater treatment unit (WTU) permitted by DES under Limited Permit #DES-HW-LP-97-018. No inspections of the WTU were conducted or documented.

Limited Permit # DES-HW-LP-97-018 requires that Nashua Circuits inspect its WTU for malfunctions, deterioration, operator errors, and discharges which may be causing, or may lead to, unauthorized release of hazardous waste to the environment or a threat to human health. Inspections must be recorded and documented in a log.

DES requests that Nashua Circuits submit a proposal for an inspection schedule for the facility utilizing its knowledge of the treatment unit and the type of wastes treated. DES further requests that Nashua Circuits inspect the WTU at least once each operating week and record those inspections in a log.

DES acknowledges receipt of the revised inspection schedule dated January 31, 2002 that includes weekly inspections of the "pit tank".

2. Env-Wm 507.01(a)(3) - storage requirements

At the time of the inspection, one (1) 1-yard box in the Solid Sludge Area was not closed. (See hazardous waste container inventory).

Env-Wm 507.01(a)(3) requires generators to ensure that containers storing hazardous waste be closed at all times, except when waste is being added to or removed from the containers.

DES requests that Nashua Circuits ensure that containers storing hazardous wastes be closed at all times, except to add or remove waste from the containers.

3. Env-Wm 509.02 (a)(3) – general requirements for ignitable, reactive or incompatible wastes

At the time of the inspection, there were no “No Smoking” signs posted in the Main Storage Area.

Env-Wm 509.02 (a)(3), which references 40 CFR Part 265.17 – General requirements for ignitable, reactive or incompatible wastes, requires, in part, that “No Smoking” signs be conspicuously placed wherever there is a hazard from ignitable or reactive waste.

DES requests that Nashua Circuits ensure that “No Smoking” signs are posted at all areas where there is a hazard from ignitable or reactive waste.

4. Env-Wm 509.02 (a)(4) – preparedness and prevention

At the time of the inspection, the Main Storage Area failed to have portable fire equipment, alarm system, telephone and a water source.

Env-Wm 509.02(a)(4), which references 40 CFR 265.32, requires that all facilities must have required equipment, including portable fire equipment, alarm systems, water source, and telephone, and to conduct testing of emergency equipment. Required equipment is further defined in Env-Wm 509.02(f) to mean the equipment required at each hazardous waste storage area, not more than 100 feet from each area, accessible along a clear path.

DES requests that Nashua Circuits maintain portable fire equipment, an alarm system, water source, and telephone at the Main Storage Area. In addition, DES requests Nashua Circuits conduct testing of emergency equipment at the Main Storage Area.

5. Env-Wm 509.02 (b) – emergency posting

At the time of the inspection, Nashua Circuits did not have an emergency posting at the nearest telephone to the Main Storage Area.

Env-Wm 509.02(b) requires that full quantity generators shall post a list of the steps to take if an emergency occurs and the following emergency numbers and information at the nearest telephone to the hazardous waste storage area:

- a) The emergency coordinators (home and office);
- b) The fire department, police department, and State of New Hampshire and local emergency response teams that may be called upon to provide emergency services, unless the facility has a 24-hour response team to provide emergency services whose number is posted; and
- c) The location of fire extinguishers and spill control material, and if present, fire and internal emergency alarms.

DES requests that Nashua Circuits post the required information at the nearest telephone to each hazardous waste storage area. Enclosed is a sample emergency posting for your reference.

6 Env-Wm 509.03 (a) Satellite storage

At the time of the inspection, the Solid Sludge Area was being managed as satellite storage area, although the area was not “at or near” the point of generation and was not “under the control of the operator”, more than 55 gallons of waste was stored in the area, and the one (1) 1-yard box was not marked with the words “Hazardous Waste” or have the date of excess accumulation.

Env-Wm 509.03 requires that all satellite storage areas be located at or near any point of generation where the wastes initially accumulate and be under the control of the operator of the process generating the waste. Env-Wm 509.03 requires that full quantity generators accumulate a maximum of 55 gallons of hazardous waste in containers at or near any point of generation where waste initially accumulate. Env-Wm 509.03(g) requires that all containers used for the storage of hazardous waste be marked with the words “hazardous waste”. Env-Wm 509.03 (i) requires that any container(s) in a satellite storage area need only be marked with the date when excess accumulation began.

DES requests that Nashua Circuits manage the above referenced storage area as a full hazardous waste storage area subject to the provisions of Env-Wm 509.02 if Nashua Circuits decides to continue storing hazardous wastes in this area. DES requests that Nashua Circuits properly mark all containers of hazardous waste at the time they are first used to store waste with the words “hazardous waste”. DES requests that Nashua Circuits ensure that all containers used for the storage of hazardous waste be marked with the date of accumulation at the time they are first used to store hazardous waste or those containers in satellite storage areas be marked with the date when excess accumulation began.

7. Env-Wm 509.03 (g) - marking

At the time of the inspection, one (1) 5-gallon container in the Plating Area and one (1) yard box in the Solid Sludge Area were not marked with the words "Hazardous Waste" (See hazardous waste container inventory)

Env-Wm 509.03(g) requires that all containers used for the storage of hazardous waste be marked with the words "hazardous waste"

DES requests that Nashua Circuits properly mark all containers of hazardous waste at the time they are first used to store waste with the words "hazardous waste".

8. Env-Wm 807.06 (b)(4) - standards for generators of used oil being recycled

At the time of the inspection, one (1) 55-gallon container in the Compressor Room was not marked with the words "Used Oil for Recycle".

Env-Wm 807.06(b)(4) requires that generators of used oil destined for recycle label used oil containers and tanks with the words "Used Oil for Recycle" at all times during accumulation and storage.

DES requests that Nashua Circuits label all used oil containers and tanks destined for recycle with the words "Used Oil for Recycle".

DES believes the cited deficiencies can be corrected and a report describing the corrective measures taken by Nashua Circuits can be submitted within thirty (30) days of receipt of this letter. Supporting documentation describing the measures taken to achieve compliance should be included with the report.

In the event compliance is not achieved within this period, DES may take further action against Nashua Circuits, including issuing an order requiring that deficiencies be corrected, initiating an administrative fine proceeding, and/or referring the matter to the New Hampshire Department of Justice for imposition of civil penalties. In addition, DES personnel may reinspect your facility at a later date to determine whether the facility has come into, and is maintaining, full compliance with the applicable rules. Fines may be pursued for any or all violations observed during subsequent inspections of your facility.

The written report as requested above should be addressed as follows:

Kenneth W. Marschner, Administrator
DES/WMD
6 Hazen Drive
Concord, New Hampshire 03301-6509

Enclosed please find a completed copy of the Hazardous Waste Generator RCRA Inspection Checklist to assist you in assessing the noted violations. This checklist may also be of value to you for use in determining future compliance with the New Hampshire Hazardous Waste Rules.


A current, full set of the State of New Hampshire Hazardous Waste Rules, as well as much other useful information can be obtained from DES's website at <http://www.des.state.nh/us/hwcs> or by contacting the Public Information Center at (603) 271-2975.

It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. We strive to ensure that pollution prevention options are considered first, followed by recycling, treatment and disposal. I am requesting that DES's Pollution Prevention Coordinator, Stephanie D'Agostino, contact you to discuss possibilities for waste minimization or source reduction at your facility. In the meantime, if you have immediate questions about pollution prevention, please feel free to contact her at 271-6398.

As a service to New Hampshire's hazardous waste generators, we maintain a Hazardous Waste Assistance Hotline, which is available for you to contact our knowledgeable staff of hazardous waste inspectors. Our hazardous waste staff are available to answer your questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect your hazardous waste management program. The technical assistance available through the Hotline includes fact sheets that pertain to the management and recycling of specific wastes, summary sheets on specific sections of the Hazardous Waste Rules, copies of EPA and New Hampshire hazardous waste policy or regulatory interpretation letters that may benefit your operation, and networks with other state or federal agencies to answer your questions on a national level. The hotline is available Monday through Friday, 8:00 AM to 4:00 PM at 271-2942.

Should you have any questions regarding this letter, please contact the lead inspector, Nancy Phillips, Waste Management Specialist or John J. Duclos, Supervisor of the Hazardous Waste Compliance Section, at 271-2942. Specific questions on water related issues may be directed to Sharon Ducharme of DES's Water Division at 271-2457; and for air related issues, please contact Pam Monroe of DES's Air Resources Division at 271-1370. Thank you for your cooperation.

Sincerely,


Kenneth W. Marschner, Administrator
Waste Management Programs
Waste Management Division

CERTIFIED MAIL RRR# 7099 3400 0002 9774 2133

cc: DB/RCRA/LOD/Archive
Philip J. O'Brien, Ph.D., Director, WMD
Gretchen Rule, DES Administrator, Legal Unit
Robert Moncada, President, Nashua Circuits, Inc.

E mail: JJD, SD/WD, PM/ARD, SD/CO

Enclosure:

- 1) Container Inventory
- 2) Hazardous Waste Generator RCRA Inspection Checklist
- 3) Sample Emergency Posting